

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
IN AND FOR THE STATE OF UTAH

ORIGINAL

IN THE MATTER OF THE PETITION
BY THE DIVISION OF OIL, GAS AND
MINING FOR AN ORDER DIRECTING THE
ATTORNEY GENERAL TO RECOVER CIVIL
PENALTIES, WITHDRAWING THE NOTICES
OF INTENTION, AND REQUIRING
IMMEDIATE RECLAMATION OR FORFEITING
SURETIES FOR THE APEX/BURGIN MINE
(M/049/009), TRIxie SHAFT MINE AREA
(M/049/024), AND THE TRIxie WEST
EXPLORATION AREA (E/049/046); THE
CHIEF CONSOLIDATED MINING CO.
D/B/A CHIEF GOLD MINE, SOUTH
STANDARD MINING COMPANY, AND TINTIC
UTAH METALS, LLC; IN SECTIONS 11, 15,
21, 22 AND 28, TOWNSHIP 10 SOUTH,
RANGE 2 WEST, SLB&M, UTAH COUNTY, UTAH.

Docket No. 2005-013, Cause Nos. M/049/009,
M/049/024, E/049/046

TAKEN AT: The Department of Natural Resources
1594 West North Temple
Salt Lake City, Utah
DATE: Wednesday, September 27, 2006
TIME: 12:26 p.m.

REPORTED BY: Jennifer Moio, RPR
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SECRETARY, BOARD OF
OIL, GAS & MINING

A P P E A R A N C E S

BOARD OF OIL, GAS AND MINING

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Samuel C. Quigley

Jean Semborski

DIVISION OF OIL, GAS AND MINING

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Mary Ann Wright, Associate Director, Mining

Gil Hunt, Associate Director, Oil and Gas

Steve Schneider, Administrative Policy Coordinator

Julie Carter, Secretary to the Board

Diane Holland, Legal Secretary

ASSISTANT ATTORNEYS GENERAL

Steven F. Alder, Division Attorney

Michael S. Johnson, Board Attorney

Stephen Schwendiman, Board Attorney

1 P R O C E E D I N G S

2
3 MR. PEACOCK: We have one final item.
4 It will be short. We will try to conclude that
5 relatively quick. It is item 14 on your agenda,
6 Docket No. 2005-013, Cause No. M/049/009,
7 M/049/024, E/049/046. In the matter of the
8 petition by the Division of Oil, Gas and Mining for
9 an order directing the Attorney General to recover
10 civil penalties withdrawing the notices of
11 intention and requiring immediate reclamation or
12 forfeiting sureties for the Apex/Burgin Mine
13 (M/049/009), Trixie Shaft Mine Area (M/049/024),
14 and the Trixie West Exploration Area (E/049/046);
15 the Chief Consolidated Mining Company doing
16 business as Chief Gold Mine, South Standard Mining
17 Company, and Tintic Utah Metals, LLC; in Sections
18 11, 15, 21, 22 and 28, Township 10 South, Range 2
19 West, Salt Lake Basin Meridian, Utah County, Utah.
20 And we will turn to Mr. Alder for his request from
21 the Division.

22 MR. ALDER: Thank you, Mr. Chairman.
23 Reading that is a reminder to make those captions
24 shorter. I apologize.

25 MR. PEACOCK: Well, I don't know how to

1 read slashes and parens.

2 MR. ALDER: This matter has basically
3 been resolved. There is a stipulation which
4 provided for a mining plant to be modified and the
5 surety to be modified, and at the conclusion of
6 those events the penalties that were originally
7 assessed were to be evaluated by the Division.
8 Then the matter was to come back to the Board for
9 dismissal completely.

10 It was continued without date, I think,
11 last December, and there was an internal deadline
12 of June to get that mining plan modified. We were
13 unable to meet that deadline, and the Division
14 feels that the operator is working on this mine and
15 on this mine plan diligently, and they really have
16 no concerns, but we were trying to get this
17 stipulation that's before you more up-to-date. We
18 put it on the agenda for today believing that that
19 would get us the modification necessary.

20 We were unable to reach an agreement,
21 and we would ask the Board to continue this until
22 next month, at which time I think we will be able
23 to present to you a modified stipulation, and we'll
24 take care of those concluding items.

25 MR. PEACOCK: So your request is for

1 a -- to carry this forward to the next month's
2 meeting.

3 MR. ALDER: Yes, Sir.

4 MR. PEACOCK: Any question from the
5 Board? Any objection? Do we need a motion or --

6 MR. QUIGLEY: I'll make that motion.

7 MR. PEACOCK: I have a motion.

8 MR. PETERSEN: Second.

9 MR. PEACOCK: And a second that we
10 approve the Division's request to carry forward
11 this item to the October meeting. Those in favor
12 say aye.

13 BOARD MEMBERS: Aye.

14 MR. PEACOCK: Any opposed say nay. It's
15 unanimous.

16 MR. ALDER: Thank you, Mr. Chairman.

17 MR. PEACOCK: Is there any other
18 business that should properly come before this
19 meeting at this time? If not, we thank you all for
20 your attendance and your participation. The Board
21 will meet for a lunch at this time, and we will --
22 we will adjourn this meeting at this time. Thank
23 you all.

24 (Whereupon the proceedings in this
25 matter were concluded at 12:30 p.m.)

C E R T I F I C A T E

STATE OF UTAH)
)
COUNTY OF SALT LAKE)

THIS IS TO CERTIFY that the testimony in the matter of Docket No. 2005-013, Cause Nos. M/049/009, M/049/024, E/049/046 was taken before me, Jennifer Moio, Registered Professional Reporter and Notary Public in and for the State of Utah.

That the testimony was reported by me in Stenotype, and thereafter transcribed by computer under my supervision, and that a full, true, and correct transcription is set forth in the foregoing pages, numbered 3 through 5 inclusive.

I further certify that I am not of kin or otherwise associated with any of the parties to said cause of action, and that I am not interested in the event thereof.

WITNESS MY HAND and official seal at Salt Lake City, Utah, this 9th day of October, 2005.


Jennifer Moio, RPR

My commission expires:
1 June 2009

